REMARKS

The courtesy extended to the Applicant and the undersigned by Examiners Zurita and Rosen during the personal Interview conducted August 31, 2004 is acknowledged and appreciated. During the Interview Applicant discussed proposed alternative claim language as presented in the "Proposed Examiner Interview Agenda and Alternative Claim Language" provided prior to the Interview. Although these proposals were based on and the discussions therefore centered around claim 1 of the application, the features to be emphasized were equally applicable to the remaining independent claims.

During the Interview, both the Solomon and Farrell publications were discussed, the proposed claims believed to distinguish thereover in view of certain advantageous features provided by the use of tasklets as an interface between the various parties including, for example, buyer and vendor. In particular, as explained by Applicant during the Interview, the buying of media resources (e.g., air time, print space, etc.) is different from many conventional negotiations between a buyer and seller. Media negotiations involve a number of complex interactions between a client, a media planner/buyer, multiple potential vendors, and other parties. Most of these parties are reticent to share confidential information needed to respond to an information request outside of that organization. For example, vendors clearly do not want to share confidential information. Directing attention to the various diagrams of the instant application and, in particular, Figure 3, a local tasklet may communicate and/or interact with internal systems which is strictly confidential only accessable within the firewall. Thus, according to one feature of the invention, tasklets are used to provide required interactions and information exchange between and among the various parties while protecting party-specific confidential information used in processing a response. Tasklets, as are well known to those skilled in the applicable art, are further described in U.S. Patent Application Publication No. 2003/0037181 of U.S. Patent Application Serial No. 09/900,842 entitled "Method And Apparatus For Providing Process-Container Platforms" of Consilient, Inc. (copy attached)

As a result of the Interview, it is Applicant's understanding that the invention might be more clearly distinguishable over the applied prior art by emphasizing the data segregation

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feature provided by employing tasklets as an interface between various parties. This feature is

included in the description of a preferred embodiment of the invention appearing, for example, in

paragraph 32 of the published application:

*[0032] FIG. 3 shows an alternate embodiment of the invention in which a
vendor, instead of having a personal peer, includes a DPX server. Thus, instead
of the vendor accepting a TASKLET and interacting directly with that TASKLET
as provided by the campaign management tool and DPX server, the vendor
maintains its own DPX server behind its firewall, interacting with internally
generated TASKLETS to review and accept orders. Note that TASKLETS are still
used to interact between the campaign management tool DPX server and the DPX
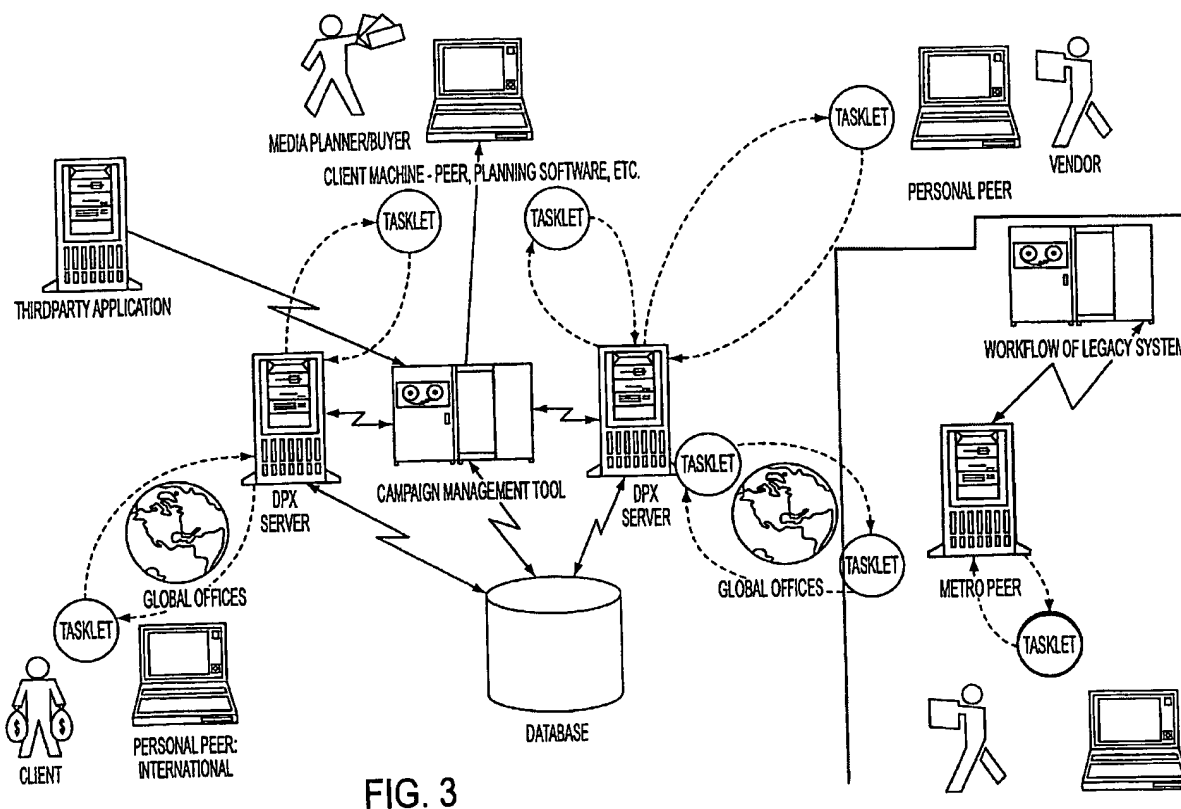server of the vendor.*

FIG. 3

As shown in Figure 3, the "Metropeer" server in the lower right corner of the diagram

generates its own local tasklet for use behind the vendor's firewall represented b the solid line

(for purposes of the present explanation, these structures are shown above in red).

To emphasize this feature, claim 1 is amended to read as follows:

*A method of buying media resources for an advertising campaign comprising the
steps of:*

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creating a client job order;

transmitting a first mobile agent tasklet with a media availability query to a potential vendor, said first mobile agent tasklet configured to dynamically adjust to varying conditions;

receiving said first tasklet behind a firewall maintained by said potential vendor;

generating a local tasklet corresponding to said first tasklet, said local tasklet for internal distribution by said potential vendor behind said firewall;

receiving back, via said first mobile agent tasklet, media availability from said potential vendor in accordance with said local tasklet;

processing said first mobile agent tasklet to create a media buy confirmation and, in response, creating a second mobile agent tasklet representing said media buy confirmation; and

transmitting said second mobile agent tasklet representing said media buy confirmation to said potential vendor.

Similar changes have been made to independent claims 11 and 20 by emphasizing the use of tasklets and the generation of a local tasklet for use behind the vendor's firewall. The prior art alone or in combination fails to teach or suggest such a feature for buying media resources.

Claim Rejections

Claims 1-26 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Solomon in view of an article by Farrell. Applicant respectfully requests reconsideration of the rejection in view of the amendments to the claims and the remarks that follow.

As detailed above, the amended claim language recites "…receiving said first tasklet behind a firewall maintained by said potential vendor…" and …"generating a local tasklet corresponding to said first tasklet, said local tasklet for internal distribution by said potential vendor behind said firewalls…"

As explained in Applicant's prior Amendment, the Solomon disclosure describes the use of intelligent negotiation agents (INAs) operating in the context of buyer and seller interactions. [Paragraphs 268 and 269] However, the Solomon disclosure contemplates the use of software agents such as INAs in buyer-side bidding systems consisting of at least two sellers. [Paragraphs 24, 31, 32, 208, 213, 214, 270, 383] These agents are static, not dynamic as required by Applicant's claims, and thereby must be reconfigured by some central administrative or monitoring system to react to various conditions. Equally important, the agents do not provide a mechanism to isolate data and information from being transmitted across a firewall and disclosed outside a protected area such as outside a vendor's facility. This is because Solomon uses

commercial search agents (CSAs) to access showcase databases that are comprised of real-time streaming data from industry participants. The present invention does not limit mobile agents to access showcase databases, but allows the mobile agents to directly obtain information from a vendor by transmitting a tasklet with a media availability query to a potential vendor, generating a local tasklet for use by the vendor, and then embodying the results of the query back into the original [first] tasklet for transmission back to the media buyer.

The Farrell reference discusses electronic commerce applications that enable a media consumer to directly purchase media consumables. The present invention contemplates the retention of an agent middleman that negotiates a client buy order and then uses the present invention to obtain the media consumables in the client buy order. The Farrell reference does not disclose the use of dynamically adjusting electronic agents to streamline the client-agent-vendor business model nor the data isolation feature provided by the amended claims.

Claims 1-26 have also been rejected under 35 U.S.C. § 103(a) as being unpatentable over Peckover, U.S. Patent No. 6,119,101 also in view of Farrell. This rejection is likewise believed overcome by the present amendment to the claims. That is, the applied prior art fails to teach or suggest "...a first mobile agent with a media availability query to a potential vendor, said first mobile agent configured to dynamically adjust to varying conditions..." or "...receiving said first tasklet behind a firewall maintained by said potential vendor..." and ..."generating a local tasklet corresponding to said first tasklet, said local tasklet for internal distribution by said potential vendor behind said firewalls..." Accordingly, independent claims 1, 11 and 20 are considered to be patentably distinguishable over the applied art singularly or in combination.
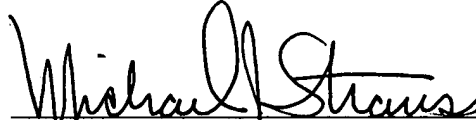
Claims 2-10, 12-19 and 21- 27 each define additional subject matter not found or suggested by the applied prior art in the recited combinations and are thereby considered to be allowable independent of their respective base claims. Accordingly, Applicant believes that all claims are in condition for examination and allowance.

While the outstanding rejection is believed to be overcome by the instant clarifying amendment, Applicant also maintains that the rejection is improperly based on hindsight for the reasons presented in the prior Amendment and incorporated and reasserted herein.

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Entry of the instant Amendment in accordance with 37 CFR §1.111 is respectfully requested. Should the Examiner have any questions or comments regarding this communication, he may contact the Applicant's representative at the number below.

Respectfully submitted,

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